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**REQUEST**

FOR

**CONTINUED EXAMINATION (RCE)****TRANSMITTAL**Subsection (b) of 35 U.S.C. §132, effective on May 29, 2000  
provides for continued examination of a utility or patent application

filed on or after June 8, 1995.

See The American Inventors Protection Act of 1999 (AIPA).

Application Number	09/757,714
Filing Date	01/09/2001
First Named Inventor	Raymond Rudolph Spivey
Group Art Unit	3653
Examiner Name	Noland, Kenneth W.
Attorney Docket Number	7148

EN  
1/24/03  
RCE  
#11

This is a Request for Continued Examination (RCE) under 37 C.F.R. §1.114 of the above-identified application.

**Note:** 37 C.F.R. §1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. §1.53(d) (PTO/SB/29) instead of an RCE to be eligible for the parent term adjustment provision of the AIPA. See Changes to Application Examination and Provisional Application Practice. Final Rule, 65 Fed. Reg. 50092 (Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000)). 1233 Off. Gaz. Pat. Office 47 (April 11, 2000), which established RCE practice.

## 1. Submission required under 37 C.F.R. §1.114.

a. ☐ Previously submitted

- i. ☐ Consider the amendment(s) (reply under 37 C.F.R. §1.116) previously filed on \_\_\_\_\_  
(Any unentered amendment(s) referred to above will be entered)
- ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_
- iii. ☐ Other: \_\_\_\_\_

b. ☒ Enclosed

- i. ☒ Supplemental Amendment
- iii. ☒ Supplemental Information Disclosure Statement (IDS), PTO-1449
- iv. ☐ Other: \_\_\_\_\_

01/27/2003 ENORMAN 09000001 090528

01 FC:1801 750.00 CH  
02 FC:1201 504.00 CH  
576.00 CH

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## 2. Miscellaneous

- a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. §103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. §1.17(l) required).
- b. ☐ Other: \_\_\_\_\_

## 3. Fees The RCE for under 37 C.F.R. §(e) is required by 37 C.F.R. §1.114 when the RCE is filed.

- a. ☒ The Director is hereby authorized to charge the following fees, or credit any overpayments to Deposit Account No. **09-0528**
- i. ☒ RCE fee required under 37 C.F.R. §1.17(e)
- ii. ☐ Extension of time fee (37 C.F.R. §1.136 and 1.17)
- iii. ☒ Other: any fees required for this RCE transmittal
- b. ☐ Check in the amount of \$ \_\_\_\_\_ enclosed
- c. ☐ Payment by credit card (Form PTO-2038 enclosed)

**RECEIVED**

JAN 24 2003

**GROUP 3600**

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print Type)	James F. Vaughan	Registration No. (Attorney/Agent)	31,889
Signature	<i>James F. Vaughan</i>	Date	1/15/03

## CERTIFICATE OF HAND DELIVERY

I hereby certify that this correspondence is being hand delivered to the United States Patent and Trademark Office, Washington, D.C. 20231, on

Name (Print/Type)	Deborah Harris	Date	1-16-03
Signature	<i>Deborah Harris</i>		

# FEE TRANSMITTAL

## for FY 2003

*Effective 01/01/2003. Patent fees are subject to annual revision.*

☐ Applicant claims small entity status. See 37 CFR 1.27

**TOTAL AMOUNT OF PAYMENT** (\$ ) 1,830.00

### Complete if Known

Application Number	09/757,714
Filing Date	01/09/2001
First Named Inventor	Raymond Rudolph Spivey
Examiner Name	Noland, Kenneth W.
Art Unit	3653
Attorney Docket No.	7148

### METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None

☒ Deposit Account:

Deposit Account Number: 09-0528  
Deposit Account Name: Womble Carlyle Sandridge & Rice

The Commissioner is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☐ Credit any overpayments

☐ Charge any additional fee(s) during the pendency of this application

☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

### FEE CALCULATION

#### 1. BASIC FILING FEE

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1001 750	2001 375	Utility filing fee	
1002 330	2002 165	Design filing fee	
1003 520	2003 260	Plant filing fee	
1004 750	2004 375	Reissue filing fee	
1005 160	2005 80	Provisional filing fee	
<b>SUBTOTAL (1)</b>			<b>(\$ ) 0.00</b>

#### 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims 52 Extra Claims Fee from below 18 Fee Paid 576.00  
Independent Claims 9 - 3\*\* = 6 x 84 = 504.00  
Multiple Dependent            = 1080.00

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description
1202 18	2202 9	Claims in excess of 20
1201 84	2201 42	Independent claims in excess of 3
1203 280	2203 140	Multiple dependent claim, if not paid
1204 84	2204 42	** Reissue independent claims over original patent
1205 18	2205 9	** Reissue claims in excess of 20 and over original patent

**SUBTOTAL (2)** (\$ ) 1080.00

\*\*or number previously paid, if greater; For Reissues, see above

### FEE CALCULATION (continued)

#### 3. ADDITIONAL FEES

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1051 130	2051 65	Surcharge - late filing fee or oath	
1052 50	2052 25	Surcharge - late provisional filing fee or cover sheet	
1053 130	1053 130	Non-English specification	
1812 2,520	1812 2,520	For filing a request for <i>ex parte</i> reexamination	
1804 920*	1804 920*	Requesting publication of SIR prior to Examiner action	
1805 1,840*	1805 1,840*	Requesting publication of SIR after Examiner action	
1251 110	2251 55	Extension for reply within first month	
1252 410	2252 205	Extension for reply within second month	
1253 930	2253 465	Extension for reply within third month	
1254 1,450	2254 725	Extension for reply within fourth month	
1255 1,970	2255 985	Extension for reply within fifth month	
1401 320	2401 160	Notice of Appeal	
1402 320	2402 160	Filing a brief in support of an appeal	
1403 280	2403 140	Request for oral hearing	
1451 1,510	1451 1,510	Petition to institute a public use proceeding	
1452 110	2452 55	Petition to revive - unavoidable	
1453 1,300	2453 650	Petition to revive - unintentional	
1501 1,300	2501 650	Utility issue fee (or reissue)	
1502 470	2502 235	Design issue fee	
1503 630	2503 315	Plant issue fee	
1460 130	1460 130	Petitions to the Commissioner	
1807 50	1807 50	Processing fee under 37 CFR 1.17(q)	
1806 180	1806 180	Submission of Information Disclosure Stmt	
8021 40	8021 40	Recording each patent assignment per property (times number of properties)	
1809 750	2809 375	Filing a submission after final rejection (37 CFR 1.129(a))	
1810 750	2810 375	For each additional invention to be examined (37 CFR 1.129(b))	
1801 750	2801 375	Request for Continued Examination (RCE)	750.00
1802 900	1802 900	Request for expedited examination of a design application	

Other fee (specify) \_\_\_\_\_

\*Reduced by Basic Filing Fee Paid

**SUBTOTAL (3)** (\$ ) 750.00

### SUBMITTED BY

Name (Print/Type)	James F. Vaughan	Registration No. (Attorney/Agent)	31,889	Telephone	404-962-7528
Signature	<i>James F. Vaughan</i>	Date	1/15/03		

**WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

U.S. DEPARTMENT OF COMMERCE  
PATENT OFFICE

Box Fee Amendment  
Assistant Commissioner for Patents  
Washington, D.C. 20231

In re application of: Raymond Rudolph Spivey

Docket No.: 7148

Serial No.: 09/757,714

Examiner: Noland, Kenneth W.

Filed: January 9, 2001

Art Unit: 3653

For: CARTON WITH AN IMPROVED DISPENSING FEATURE

Transmitted herewith for filing is an amendment in the above-identified application.

Claims, As Amended				
(1) Claims Remaining After Amendment	(2) Highest No. Previously Paid For	(3) Present Extra	(4) Rate	(5) Additional Fee
All Claims 52	- 20	=32	X \$18.00/\$9.00	\$576
Independent 9 Claims	- 4	= 5	X \$84.00/\$42.00	\$420
			Total Additional Fee This Amendment->	\$996

[ X ] Please charge my deposit account no. 09-0528 in the amount of \$996.00. A duplicate copy of this sheet is enclosed.

[ X ] The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to account no. 09-0528.

12/16/02  
Date

James F. Vaughan  
James F. Vaughan  
Reg. No. 31,889

WOMBLE CARLYLE SANDRIDGE & RICE, PLLC  
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**Certificate of Hand Delivery**

I hereby certify that this correspondence is being hand delivered to Examiner Kenneth W. Noland, U.S. Patent and Trademark Office, Washington, D.C. 20231 on December 16, 2002

Signature

U.S. DEPARTMENT OF COMMERCE  
PATENT OFFICE

Box Fee Amendment  
Assistant Commissioner for Patents  
Washington, D.C. 20231

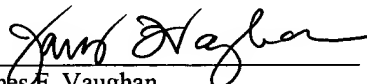
In re application of: Raymond Rudolph Spivey      Docket No.: 7148  
Serial No.: 09/757,714      Examiner: Noland, Kenneth W.  
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12/16/02  
Date

  
James F. Vaughan  
Reg. No. 31,889

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Signature